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**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Etrali North America, LLC  
for Registration as an Interexchange Carrier  
Telephone Corporation pursuant to the  
Provisions of Public Utilities Code  
Section 1013.

Application 16-04-008  
(Filed April 11, 2016)

**ADMINISTRATIVE LAW JUDGE'S RULING REQUIRING  
ETRALI NORTH AMERICA, LLC TO FILE ADDITIONAL  
INFORMATION WITHIN 20 DAYS.**

**Summary**

This Administrative Law Judge's ruling (Ruling) directs Etrali North America, LLC (Etrali) to provide additional information to the California Public Utilities Commission (Commission), regarding its application for a Certificate of Public Convenience and Necessity (CPCN) to operate as an Interexchange Telecommunications Carrier in the State of California, within 20 days of date of this ruling.

**1. Background**

On April 11, 2016, Etrali filed this application with the Commission's Communications Division for an expedited and ministerial registration as an Interexchange Telecommunications Carrier/Telephone Corporation pursuant to

the Commission's registration process under the Public Utilities Code (Pub. Util. Code) Section 1013.<sup>1</sup>

On May 31, 2016, the Commission determined that the application did not qualify for review under the registration process and, accordingly, Etrali's application was removed from the registration track and assigned to an administrative law judge. This application, therefore, will be evaluated as an application for a CPCN pursuant to § 1001.

## **2. Requirements for Certificate of Public Convenience and Necessity**

Review of Etrali's application for CPCN (Application) reveals that additional information is required. Within 20 days of receipt of this ruling, Etrali is directed to submit supplemental information to address each request in this ruling.

### **A. Request for Clarifications**

1. In its application, under Question 4, Etrali indicated that it will operate statewide as an "Interexchange Carrier Telephone Corporation." The Commission requires additional clarifications, and accordingly, within 20 days of the date of this ruling, Etrali must clarify and/or provide additional information regarding the following:
  - a. Whether Etrali intends to provide Local Exchange telecommunications services in addition to the proposed interexchange services; and

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<sup>1</sup> All statutory references are to the California Public Utilities Code, unless otherwise indicated.

- b. If it intends to also provide local exchange telecommunications services, Etrali must identify the local exchange service territories it proposes to serve and include a map of such service territories as required by Decision (D.) 95-12-056 at Appendix C, Rule 4.E.
2. In Exhibit 4 to its application, Etrali indicated that “Etrali NA [Etrali] began providing ... intrastate private line [telephone] services to customers in California in early 2012. At present, Etrali NA [Etrali] has approximately 25 intrastate circuits in California.” It is unclear whether Etrali has any authorization to provide the services described herein. Thus, within 20 days of the date of this ruling, the Commission requests that Etrali provide the following additional information regarding the intrastate private line telephone services that it provides to customers in California since early 2012. The information provided must address the following questions:
- a. Whether Etrali has authorization to provide the intrastate private line telephone services in the state of California; who granted the authorization and when such authorization was obtained?
  - b. The start date of the intrastate private line telephone services provided by Etrali in the state of California;
  - c. The end date of the intrastate private line telephone services provided by Etrali in the state of California;
  - d. The nature of the intrastate private line telephone services provided by Etrali in the state of California and the number of customers served;
  - e. The names of each incumbent local exchange carrier or other carriers that facilitated the provision of the intrastate private line telephone services provided by Etrali in the state of California;

- f. If the intrastate private line telephone services provided by Etrali in the state of California is being done without proper authorization, what explanation Etrali has for providing the service in the state of California without, and/or before obtaining a CPCN or Commission's authorization;
- g. Why Etrali should not be subject to a penalty pursuant to Pub. Util. Code §§ 2107 et seq.
- h. Whether the intrastate private line telephone services provided by Etrali in the state of California is the subject of any matter described in Exhibit 5 to Etrali's application.

## **B. Background Checks**

In order to fully evaluate an application for CPCN, the Commission conducts background checks of applicants, their officers, directors, and owners of 10 percent or more of all outstanding shares, in order to protect consumers. To facilitate the Commission's ability to do a thorough background check, Etrali is directed within 20 days of receipt of this ruling to provide the Administrative Law Judge (ALJ) with the full name, date of birth and Social Security number for the following owner and/or officers of Etrali: 1) Neil Barua, President; 2) Ben Chernelich, Executive Vice President and Chief Financial Officer; and (3) Doug Kortrey, Vice President and Secretary. For privacy, the information requested herein (in item B) may be provided directly to the assigned ALJ via a telephone conference.

Therefore, **IT IS RULED** that:

1. Etrali shall file and serve, no later than 20 days of the date of this ruling, a prepared response or documentation to address each of the issues raised in this ruling in Item A. Service shall be made in accordance with

Commission's Rules of Practice and Procedure,<sup>2</sup> with one hard copy of all documents provided directly to the Administrative Law Judge.

2. No later than 20 days of the date of this ruling, Etrali shall provide the background information requested in Item C directly to the Administrative Law Judge (ALJ). For privacy, the information requested herein may be provided to the ALJ via a telephone conference.

3. Failure to respond to the Administrative Law Judge within 20 days after the date of this ruling may result in the dismissal of this application without prejudice.

Dated June 16, 2016, at San Francisco, California.

/s/ ADENIYI A. AYOADE

Adeniyi A. Ayoade  
Administrative Law Judge

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<sup>2</sup> See Rule 1.9.